

Docket No.: LT-0009



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Seong Jin JO

Confirmation No.: 5026

Group Art Unit: 3621

Serial No.: 10/029,240

Examiner: Bradley B. Bayat

Filed: 12/28/2001

Customer No.: 34610

For: METHOD OF MANAGING USE OF AN APPLIANCE THROUGH A  
COMMUNICATION NETWORK

**REPLY TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Sir:

Applicant filed an Appeal Brief in support of its Appeal for the above-identified application on July 2, 2007. Applicants subsequently received a Notification of Non-Compliant Appeal Brief dated October 31, 2007. Reconsideration and withdrawal of the Notice of Non-Compliance is respectfully requested.

The Notification of Non-Compliance appears to assert that the Summary of The Claimed Subject Matter section in the Appeal Brief is not sufficiently concise. In other words, the Notice of Non-Compliance asserts that the Summary of the Claimed Subject Matter should be shorter. In support of this assertion, the Notice of Non-Compliance notes that the Summary of the Claimed Subject Matter section in the Appeal Brief has a higher page count than the Detailed Description section of the application itself.

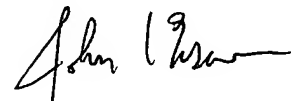
Putting aside the fact that the line spacing in the Appeal Brief is larger than the line spacing in the Application, it is respectfully submitted that the fact that the Summary of the Claimed Subject Matter section of the Appeal Brief is larger than the Detailed Description in the

Application is irrelevant. In the Application itself, it is possible to simply describe one embodiment of the invention. However, the current Patent Office rules regarding the Appeal Brief require the Applicant to provide a separate summary of the claimed subject matter for each claim in the Appeal which is argued separately. Because this Appeal Brief provides separate arguments for a large number of the pending claims, in order to satisfy the rules, it was necessary for Applicant to provide a separate summary of the claimed subject matter for each of those multiple claims. As a result, the Summary of the Claimed Subject Matter section of the Appeal Brief is relatively lengthy.

It is respectfully submitted that the Applicant cannot reduce the size of the Summary of the Claimed Subject Matter section of the Appeal Brief without violating the requirement that a separate Summary be provided for each of the claims being argued separately. Applicant has already been as brief as possible in the original summaries provided in the Appeal Brief. In view of the foregoing facts, withdrawal of the Notice of Non-Compliance and further action on the Appeal is respectfully requested.

Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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